

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

UNITED STATES OF AMERICA

v.

NO. 2:22-CR-00005-Z (01)

RICHARD KAZMAIER (01)

FACTUAL RESUME

In support of Richard Kazmaier's plea of guilty to the offense in Count One of the Superseding Information, Kazmaier, the defendant, Benjamin Doyle, the defendant's attorney, and the United States of America (the government) stipulate and agree to the following:

ELEMENTS OF THE OFFENSE

To prove the offense alleged in Count One of the superseding information, charging a violation of 16 U.S.C. §§ 3372(a)(1) and 3373(d)(1)(A), that is, Lacey Act Trafficking, the government must prove each of the following elements beyond a reasonable doubt:

- First.* The defendant imported wildlife; and
- Second.* The defendant knowingly transported, received, acquired, and possessed the wildlife knowing that it had been imported in violation of any law, regulation, or treaty of the United States.

STIPULATED FACTS

1. On or about March 2, 2017, through February 17, 2020, in the Amarillo Division of the Northern District of Texas, and elsewhere, Richard Kazmaier, defendant,

did import wildlife merchandise into the United States without declaring the items to customs authorities or obtaining the necessary permits, which he knew was required, in violation of Title 16, United States Code, Sections 1538 and 1540.

2. Kazmaier operated an eBay account under the name Tortuga Tex since 2000. He registered the account in his name and provided two mailing addresses at West Texas A&M University, where he worked as a biology professor. He maintained a corresponding PayPal account to pay for online purchases.

3. Kazmaier purchased wildlife items from online sellers around the world, including Bulgaria, Canada, China, Czech Republic, Indonesia, Latvia, Norway, Russia, South Africa, Spain, the United Kingdom, and Uruguay. He bought taxidermy mounts, skeletons, bones, and feathers; he did not purchase any live animals.

4. Kazmaier knew that wildlife merchandise brought into the United States must be declared to customs authorities and the U.S. Fish and Wildlife Service (USFWS). He was further aware that wildlife protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) required additional import and/or export permits before they could be traded internationally. He knew that wildlife listed in the CITES treaty were threatened with extinction or could become threatened if their international trade was not restricted.

5. Between about March 2013 and February 2020, Kazmaier imported approximately 358 wildlife items into the United States with a market value of about \$14,423. He did not declare any of the wildlife items except on approximately three

occasions where USFWS inspectors intercepted the shipments and gave him an opportunity to file a retroactive declaration.

6. Kazmaier imported the following wildlife without declaring it or filing the required CITES permits:

Date	Wildlife Species
3/2/2017	Golden jackal (<i>Canis aureus</i>)
3/5/2017	Caracal (<i>Caracal caracal</i>)
5/6/2017	Eurasian otter (<i>Lutra lutra</i>)
5/18/2017	Vervet monkey (<i>Chlorocebus pygerythrus</i>)
7/24/2017	Red-billed leiothrix (<i>Leiothrix lutea</i>)
8/11/2017	Chinese hwamei (<i>Garrulax canorus</i>)
10/8/2017	Crab-eating fox (<i>Cerdocyon thous</i>)
11/4/2017	Masked palm civet (<i>Paguma larvata</i>)
2/1/2018	Mountain weasels (<i>Mustela altaica</i>)
2/5/2018	King bird-of-paradise (<i>Cicinnurus regius</i>)
2/5/2018	African harrier hawk (<i>Polyboroides typus</i>)
10/28/2018	Greater naked-tailed armadillo (<i>Cabassous tatouay</i>)
8/8/2019	Horsfield's treeshrews (<i>Tupaia javanica</i>)
11/11/2019	Eurasian lynx (<i>Lynx lynx</i>)

7. Kazmaier purchased the wildlife on eBay and other websites with his own funds and stored them at West Texas A&M University. He did not resell any of the items but traded or gave some of the wildlife to other professors, collectors, and students.

8. At trial the government would be able to prove all the essential elements of the charged offense beyond a reasonable doubt. The evidence includes online sales records, banking history, and shipping information detailing Kazmaier's international wildlife purchases. Email messages show Kazmaier coordinated with the sellers on shipping the wildlife and discussed the permit requirements. USFWS inspectors intercepted several of Kazmaier's purchases, and the wildlife items were later found in his collection. Kazmaier admitted to USFWS agents that he imported the wildlife and knew that it was against the law. He provided them with a log of his imports and abandoned the imported wildlife.

9. The defendant agrees that he committed all the essential elements of the offense. This Factual Resume is not intended to be a complete accounting of all the facts and events related to the offense charged in this case. The limited purpose of this statement of facts is to demonstrate that a factual basis exists to support the defendant's guilty plea to Count One of the Superseding Information.

AGREED TO AND SIGNED this 18th day of August, 2022

CHAD MEACHAM
UNITED STATES ATTORNEY



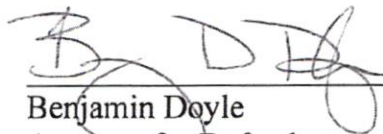
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Defendant



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